

(c) A city that has in effect a comprehensive zoning ordinance adopted under Chapter 283, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 1011a, et seq., Vernon's Texas Civil Statutes), must comply with all applicable procedural requirements of that statute in adopting regulations under this Act within the scope of that statute.

Sec. 5. (a) A city or county may sue in the district court to enjoin the violation of a regulation adopted under this Act.

(b) Violation of a county regulation adopted under this Act is a Class B misdemeanor.

(c) In a city that has a comprehensive zoning ordinance as described in Subsection (c), Section 4, of this Act, a violation of an ordinance adopted under this Act is punishable by the same penalty prescribed for a violation of the zoning ordinance. In all other cities, violation of an ordinance adopted under this Act is a Class B misdemeanor.

Sec. 6. This Act does not legalize anything prohibited under the Penal Code or other state law.

Sec. 7. If any provision of this Act or its application to any person or circumstances is held invalid for any reason, the invalidity does not affect any other provision or application of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 8. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on March 27, 1979: Yeas 127, Nays 0, 3 present,

not voting; passed by the Senate on May 10, 1979: Yeas 31, Nays 0.

Approved May 17, 1979.

Effective May 17, 1979.

PROBATIONARY PEACE OFFICERS

CHAPTER 230

H. B. No. 719

An Act relating to certification requirements for peace officers; amending Subsection (b), Section 6, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 4413(29aa), Vernon's Texas Civil Statutes).

Be it enacted by the Legislature of the State of Texas:

Section 1. Subsection (b), Section 6, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 4413(29aa), Vernon's Texas Civil Statutes), is amended³³ to read as follows:

(b) A person who has not satisfactorily completed preparatory training in law enforcement at a school that is operated by or approved by the

33. Vernon's Ann.Civ.St. art. 4413(29aa), § 6, subsec. (b).

Commission is eligible to be appointed as a peace officer only on a probationary basis. A probationary peace officer who fails to complete the required training within the probationary period must be removed from office and may not be reappointed on a probationary basis unless 12 months have passed since the date of removal from office and the Commission approves reappointment. The probationary period expires six months after the date of the original appointment except that:

(1) if a probationary peace officer is enrolled in and attending approved law enforcement training at the end of the six-month period, the probationary period is extended until the peace officer completes or ceases to attend the training course; and

(2) if a probationary peace officer is employed in a regional planning commission area in which no approved course is offered during the six-month period, the probationary period is extended until the date the first course in that area is offered and, if the peace officer enrolls in and attends the course, until the date on which the peace officer completes or ceases to attend the course.

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 12, 1979: Yeas 124, Nays 6, 1 present, not voting; passed by the Senate on May 7, 1979: Yeas 31, Nays 0.

Approved May 17, 1979.

Effective May 17, 1979.

ALCOHOLIC BEVERAGES—OUTDOOR ADVERTISING— BENCHES

CHAPTER 231

H. B. No. 805

An Act relating to outdoor advertising of alcoholic beverages.

Be it enacted by the Legislature of the State of Texas:

Section 1. Subdivision (2), Section 108.51, Alcoholic Beverage Code, is amended ³⁴ to read as follows:

(2) "Billboard" means a structure directly attached to the land, a house, or a building having one or more spaces used to display a sign or advertisement of an alcoholic beverage or a person engaged in the manufacture, sale, or distribution of alcoholic beverages, whether or not the structure is artificially lighted. "Billboard" does not include a bench or a wall or other part of a structure used as a building, fence, screen, front, or barrier.

34. V.T.C.A. Alcoholic Beverage Code, § 108.51, subd. (2).